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August 11, 2025

VIA EMAIL

The Honorable Judge Ellen L. Hollander
United States District Court for the District of Maryland
101 West Lombard Street
Chambers 5B
Baltimore, MD 21201

Re: *Terran Biosciences, Inc., et al. v. Compass Pathfinder Limited*, Civil Action No. 1:22-cv-01956-ELH – Request for Telephonic Hearing

Dear Judge Hollander:

Plaintiffs write regarding discovery disputes on which the parties have been unable to reach agreement.

First, counsel for Defendants intend to proceed with a deposition of their client, Defendant George Goldsmith, in Milan, Italy this Wednesday, August 13. Plaintiffs have informed Defendants repeatedly that they cannot attend this deposition, yet Defendants have confirmed they intend to proceed unilaterally and will not make Defendant Goldsmith available on any other date for deposition. Defendants' Notice of deposition, issued on August 8 for an August 13 deposition, is also contrary to Local Rule Guideline 9(b) ("Unless otherwise ordered by the Court or agreed upon by the parties, fourteen (14) days' notice should be deemed to be 'reasonable notice' within the meaning of Fed. R. Civ. P. 30(b)(1) for the noting of depositions.").

Second, counsel for Defendants have refused to provide deposition dates for their client, Drummond McCulloch, despite identifying him in both their Rule 26 disclosures and written discovery responses as a relevant individual. As the Court knows, Plaintiffs previously moved for, and the Court issued, a Letter of Request for Mr. McCulloch's testimony. D.I. 187 & 195. After the Court issued the Letter of Request, Mr. McCulloch retained counsel for Defendants to represent him. Despite this, Defendants will not make Mr. McCulloch available for a voluntary deposition and refuse to provide dates for his availability even if the parties proceed under the formal Hague process. Danish counsel has informed Plaintiffs that we need to provide Mr. McCulloch's

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availability to the Copenhagen local court in order to coordinate deposition scheduling with the Court's calendar. Defendants are frustrating this process and making it unlikely that Plaintiffs will be able to depose Mr. McCulloch before the close of discovery. To the extent Defendants do not make Mr. McCulloch available for deposition during the discovery period, Defendants should be precluded from relying on Mr. McCulloch at trial.

Pursuant to the Court's Standing Memorandum to Counsel Concerning Discovery, ECF 146-1, Plaintiffs respectfully request a telephonic hearing for the resolution of these issues.

We thank the Court for its attention to this matter.

Respectfully submitted,

QUINN EMANUEL URQUHART & SULLIVAN

A handwritten signature in blue ink, reading "Nicola R. Felice". The signature is written in a cursive, flowing style.

Nicola Felice

cc: All counsel of record